

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II)
OF THE PATENT COOPERATION TREATY)
(PCT Rules 44bis.3(c) and 72.2)

To:

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26. Jan. 2007

Erled.

Date of mailing (day/month/year)
18 January 2007 (18.01.2007)

Applicant's or agent's file reference
2004-0104 P

IMPORTANT NOTIFICATION

International application No.
PCT/EP2004/012937

International filing date (day/month/year)
15 November 2004 (15.11.2004)

Applicant

OCE PRINTING SYSTEMS GMBH et al

1. Transmittal of the translation to the applicant.

- The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).
- The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

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The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

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TRANSLATION

**PATENT COOPERATION TREATY
PCT**

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 2004-0104 P	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/EP2004/012937	International filing date (day/month/year) 15.11.2004	Priority date (day/month/year) 23.01.2004	
International Patent Classification (IPC) or national classification and IPC G03G15/16			
Applicant OCE PRINTING SYSTEMS GMBH			

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
- a. (*sent to the applicant and to the International Bureau*) a total of 9 sheets, as follows:
- sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
- sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
- b. (*sent to the International Bureau only*) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items:
- | | | |
|-------------------------------------|--------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input checked="" type="checkbox"/> | Box No. VIII | Certain observations on the international application |

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/012937

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:

 - international search (Rule 12.3 and 23.1(b))
 - publication of the international application (Rule 12.4)
 - international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements of the international application**, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

the international application as originally filed/furnished
 the description:
 pages 1-3, 7-17, 19 as originally filed/furnished 23.11.2005 with letter
 pages* 4, 4a received by this Authority on of 23.11.2005
 pages* 5, 6, 18 received by this Authority on 18.04.2006 with letter
of 18.04.2006

the claims:
 nos. _____ as originally filed/furnished
 nos.* _____ as amended (together with any statement) under Article 19 18.04.2006 with letter
 nos.* 1-15 received by this Authority on of 18.04.2006
 nos.* _____ received by this Authority on _____

the drawings:
 sheets 1/10-10/10 as originally filed/furnished
 sheets* _____ received by this Authority on _____
 sheets* _____ received by this Authority on _____

a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. The amendments have resulted in the cancellation of:

the description, pages _____
 the claims, nos. _____
 the drawings, sheets/figs _____
 the sequence listing (*specify*): _____
 any table(s) related to sequence listing (*specify*): _____
4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

the description, pages _____
 the claims, nos. _____
 the drawings, sheets/figs _____
 the sequence listing (*specify*): _____
 any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/012937

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	
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1. Statement

Novelty (N)	Claims	<u>3-8, 12-15</u>	YES
	Claims	<u>1, 2, 9-11</u>	NO
Inventive step (IS)	Claims	<u></u>	YES
	Claims	<u>1-15</u>	NO
Industrial applicability (IA)	Claims	<u>1-15</u>	YES
	Claims	<u></u>	NO

2. Citations and explanations (Rule 70.7)

1 Independent claim 1

The subject matter of claim 1 is known from D1 (JP-A-2000 315020). D1 discloses a continuous intermediate image carrier consisting of an upper, outer layer 22 that has a high resistance value, i.e. lower conductivity, and at least one lower layer 21 that has a lower resistance value, i.e. higher conductivity.

The combination of at least two layers of isotropically conductive materials having different levels of conductivity appears to create a conductivity anisotropy in which the conductivity between two laterally offset measurement points on the upper and lower sides of the carrier is higher than the conductivity between two opposite measurement points on the upper and lower sides. Such conductivity properties can also be created alternatively by the use of anisotropic layer materials *per se* (see, for example, layer 30 of the intermediate carrier disclosed in D3 (JP-A-11 0783036)).

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	<p>Claim 1 includes the use of two or more layers of isotropically conductive materials having different levels of conductivity (see also an embodiment described on page 18, lines 8-12, which does not appear to differ from the intermediate carrier of D1). Thus D1 discloses the subject matter of claim 1. PCT Article 33(2) and (3) is contravened.</p>
2	<p>Dependent claims 2 to 15</p> <p>The subject matter of several claims is already known from D1 or is part of the normal technical knowledge of a person skilled in the art.</p> <ul style="list-style-type: none">- The subject matter of claims 2 and 9 to 11 is known, for example, from figure 1 of D1. PCT Article 33(2) is contravened.- The features defined in claims 3 to 8 and 12 to 15 relating to the electrical conductivity, i.e. ensuring an effective electrical field for the transmission of the toner image and preventing the intermediate carrier from being damaged by spark discharges, can be regarded as part of the disclosure of D1. Although these features are not explicitly mentioned in D1, they are obvious to a person skilled in the art from the content (PCT Article 33(3)).
3	<p>The subject matter of claims 1 to 15 is industrially applicable (PCT Article 33(4)).</p>

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/012937

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

Dependent claims 3 to 6 and 14 define the electrical conductivity of the intermediate carrier by means of unclear expressions such as "at least so high, low, sufficiently" in order to achieve the desired effect, for example, to make the transfer process effective and/or to prevent electrical flashovers, without providing a technical feature, for example, a value therefor (PCT Article 6).
